
PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5303) TO PROVIDE FOR IMPROVEMENTS TO THE RIVERS AND HARBORS OF THE UNITED STATES, TO PROVIDE FOR THE CONSERVATION AND DEVELOPMENT OF WATER AND RELATED RESOURCES, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

September 26, 2016.—Referred to the House Calendar and ordered to be printed.

MR. WOODALL, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. __]

The Committee on Rules, having had under consideration House Resolution ____, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 5303, the Water Resources Development Act of 2016, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-65 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as

read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The resolution provides that no further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

Section 2 of the resolution provides that it shall be in order at any time on the legislative day of September 29, 2016, or September 30, 2016, for the Speaker to entertain motions that the House suspend the rules and that the Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

Section 3 of the resolution waives clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against any resolution reported through the legislative day of September 30, 2016, relating to a measure making or continuing appropriations for the fiscal year ending September 30, 2017.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waivers of the following:

- Section 3101 of S. Con. Res. 11 which prohibits consideration of legislation with a net effect of increasing direct spending by more than \$5 billion in any of the four consecutive ten-year periods beginning with the first fiscal year that is 10 years after the budget year provided for in the most recently adopted budget resolution. It should be noted that while the waiver is necessary, Rules Committee Print 114-65 would cure the violation; and

- Clause 3(e)(1) of rule XIII ("Ramseyer"), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected. The waiver is provided because the submission provided by the Committee on Transportation and Infrastructure was insufficient to meet the standards established by the rule in its current form. The Committee on Rules continues to work with the House Office of Legislative Counsel and committees to determine the steps necessary to comply with the updated rule.

Although the resolution waives all points of order against the amendment in the nature of a substitute made in order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 216

Motion by Ms. Slaughter to make in order and provide the appropriate waivers for amendment #60, offered by Rep. Kildee (MI), which provides \$220 million in assistance to Flint, MI and other communities with increased levels of lead in their drinking water. Defeated: 2-7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....		Ms. Slaughter.....	Yea
Mr. Cole.....		Mr. McGovern.....	
Mr. Woodall.....	Nay	Mr. Hastings of Florida.....	Yea
Mr. Burgess.....	Nay	Mr. Polis.....	
Mr. Stivers.....	Nay		
Mr. Collins.....	Nay		
Mr. Byrne.....	Nay		
Mr. Newhouse.....	Nay		
Mr. Sessions, Chairman.....	Nay		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Shuster (PA): Makes technical and clarifying revisions to H.R. 5303. Includes additional Chief's Reports and Post Authorization Change Reports submitted by the Army Corps of Engineers since May 25, 2016. (10 minutes)
2. Lawrence (MI): Includes gross negligence as an additional reason for obtaining funding following an emergency at a water resources development project. (10 minutes)
3. Babin (TX): Defines parameters and sets guidelines for the scope of "work" under Section 408 review processes. (10 minutes)
4. Babin (TX): Allows for channels which have been "assumed for maintenance" to be considered the same as "authorized" projects. (10 minutes)
5. Black (TN): Directs the Chief of Engineers and Commanding General of the U.S. Army Corps of Engineers to provide guidance on the types of circumstances under which the state-of-the-art provision of the Dam Safety Assurance authority might apply to dam safety repair projects; for corps of engineers district offices to effectively communicate with sponsors to establish and implement cost sharing agreements during dam safety repair projects; and for the corps of engineers to communicate the estimated and final cost sharing amounts, executing agreements, with all cost sharing sponsors. (10 minutes)
6. Blum (IA), Loeb sack (IA), Young, David (IA): Expedites the Cedar River project for flood risk management authorized in the Water Resources Development Act of 2014. (10 minutes)
7. Bost (IL): Authorizes the Corps to consider other potential benefits that may accrue due to rehabilitation of a non-federal levee. (10 minutes)
8. Crawford (AR): Clarifies the Water Infrastructure Finance and Innovation Act (WIFIA) to make project costs incurred and in-kind contributions made before receipt of the WIFIA loan to count toward the 51 percent of the project that must be financed by non-WIFIA dollars. (10 minutes)
9. Dold (IL): Allows projects funded under section 506(c) of the Water Resources Development Act of 2000 to include compatible recreation features, not to exceed 10 percent of the ecosystem restoration costs of the project. (10 minutes)
10. Graves, Garret (LA): Allows the non-federal interest to execute a project or project component when they determine that it can be done at lower cost and/or faster time. It directs 20% of money saved back to treasury, and the rest to other corps projects. (10 minutes)
11. Graves, Garret (LA): Provides criteria for application decisions pursuant to Section 408. (10 minutes)
12. Graves, Garret (LA): Expedites certain flood mitigation priority areas. (10 minutes)
13. Long (MO): Lifts the Army Corps of Engineers' moratorium on the issuance of dock permits for Table Rock Lake and delays the final rule for revising the Shoreline Management Plan. Extends the public

comment period and requires a study on the permit fee structure for Table Rock Lake. (10 minutes)

14. McKinley (WV): Requires the Army Corps of Engineers to consider the economic or recreational significance or impact of a lock at the national, State or local level. (10 minutes)
15. Mica (FL): Allows the Secretary to adjust the Benefit Cost Ratio after any portion of the authorized project is completed by the Army Corps using non-federal funds. (10 minutes)
16. Mullin, Markwayne (OK): Transfers to the Department of the Interior land to be held in trust for the benefit of the Muscogee (Creek) Nation, after the Muscogee (Creek) Nation has paid to the Army Corps of Engineers fair market value of the land transferred. (10 minutes)
17. Rouzer (NC): Directs the Army Corps of Engineers to work with local officials to establish a no wake zone in federal navigation channels when certain criteria are met. (10 minutes)
18. Thornberry (TX): Prohibits the U.S. Army Corps of Engineers from removing privately owned cabins on privately owned land at Lake Kemp for an additional 5 years. (10 minutes)
19. Weber (TX): Requires the Army Corps of Engineers to take into account existing studies and data developed by the Gulf Coast Community Protection and Recovery District when conducting the Coastal Texas Protection and Restoration Study. (10 minutes)
20. Young, David (IA): Establishes policy for Corps levees that affect community-owned levees. (10 minutes)
21. Esty (CT): Directs the Secretary to submit a report within one year of enactment on implementation of corrosion prevention activities under section 1033 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2350). (10 minutes)
22. Esty (CT), LoBiondo (NJ), Zeldin (NY): Amends section 4009(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1316) to direct the Secretary to conduct a comprehensive assessment and management plan to restore aquatic ecosystems within the coastal waters of the Northeastern United States from the State of Virginia to the State of Maine, including associated bays, estuaries, and critical riverine areas. (10 minutes)
23. Frankel (FL), Curbelo (FL): Provides local communities the option to seek foreign sand sources for shore protection projects. (10 minutes)
24. Green, Al (TX), Green, Gene (TX), Culberson (TX): Allows the Secretary to give priority to flood control projects where (1) such project is already authorized and an executed partnership agreement exists; and (2) the project is in an area where loss of life has occurred to due a flooding event. (10 minutes)
25. Herrera-Beutler (WA): Expands availability of funds for Watercraft Inspection Stations in northwest states. Clarifies that the U.S. Army Corps of Engineers can fund existing watercraft inspection stations. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SHUSTER OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. SHUSTER OF PENNSYLVANIA**

1004

Page 7, strike lines 1 through 8.

Page 11, line 14, strike “and” at the end.

Page 11, line 16, strike the period at the end and
insert “; and”.

Page 11, after line 16, insert the following:

- 1 (7) reducing the costs of dredging and dredged
- 2 material placement or disposal, such as projects that
- 3 use dredged material for—
- 4 (A) construction or fill material;
- 5 (B) civic improvement objectives; and
- 6 (C) other innovative uses and placement
- 7 alternatives that produce public economic or en-
- 8 vironmental benefits.

Page 69, after line 17, insert the following:

9 SEC. ____ COST SHARE REQUIREMENT.

10 The Secretary shall carry out the project for eco-
11 system restoration and recreation, Los Angeles River,
12 California, as authorized by this Act, substantially in ac-

1 cordance with the terms and conditions described in the
2 Report of the Chief of Engineers, dated December 18,
3 2015, including, notwithstanding section 2008(c) of the
4 Water Resources Development Act of 2007 (121 Stat.
5 1074), the recommended cost sharing.

6 **SEC. ____ . PUBLIC ACCESS.**

7 (a) RECREATIONAL ACCESS PERMITTED.—The
8 Board of Directors of the Tennessee Valley Authority may
9 approve and allow the construction and use of a floating
10 cabin on waters under the jurisdiction of the Tennessee
11 Valley Authority if—

12 (1) the floating cabin is maintained by the
13 owner to reasonable health, safety, and environ-
14 mental standards, as required by the Board of Di-
15 rectors; and

16 (2) the Tennessee Valley Authority has author-
17 ized the use of recreational vessels on such waters.

18 (b) FEES.—The Board of Directors may levy fees on
19 the owner of a floating cabin on waters under the jurisdic-
20 tion of the Tennessee Valley Authority for purposes of en-
21 suring compliance with subsection (a), so long as such fees
22 are necessary and reasonable for such purposes.

23 (c) CONTINUED RECREATIONAL USE.—With respect
24 to a floating cabin located on waters under the jurisdiction

1 of the Tennessee Valley Authority on the date of enact-
2 ment of this Act, the Board of Directors—

3 (1) may not require the removal of such float-
4 ing cabin—

5 (A) in the case of a floating cabin that was
6 granted a permit by the Tennessee Valley Au-
7 thority before the date of enactment of this Act,
8 for a period of 15 years beginning on such date;
9 and

10 (B) in the case of a floating cabin not
11 granted a permit by the Tennessee Valley Au-
12 thority before the date of enactment of this Act,
13 for a period of 5 years beginning on such date;
14 and

15 (2) shall approve and allow the use of the float-
16 ing cabin on waters under the jurisdiction of the
17 Tennessee Valley Authority at such time, and for
18 such duration, as the floating cabin meets the re-
19 quirements of subsection (a) and the owner of such
20 cabin has paid any fee levied pursuant to subsection
21 (b).

22 (d) NEW CONSTRUCTION.—The Tennessee Valley
23 Authority may establish regulations to prevent the con-
24 struction of new floating cabins.

1 (e) FLOATING CABIN DEFINED.—In this section, the
2 term “floating cabin” means every description of
3 watercraft or other floating structure primarily designed
4 and used for human habitation or occupation and not pri-
5 marily designed or used for navigation or transportation
6 on water.

7 (f) SAVINGS PROVISION.—Nothing in this section re-
8 stricts the ability of the Tennessee Valley Authority to en-
9 force reasonable health, safety, or environmental stand-
10 ards.

11 **SEC. ____ . TRIBAL DISPLACEMENT.**

12 (a) IN GENERAL.—The Comptroller General of the
13 United States shall conduct a study related to any remain-
14 ing Federal obligations to Indian people displaced by the
15 construction of the Bonneville Dam, the Dalles Dam, or
16 the John Day Dam on the Columbia River in Oregon and
17 Washington.

18 (b) FACTORS.—The study shall include—

19 (1) a determination as to the number and loca-
20 tion of Indian people displaced by the construction
21 of the Bonneville Dam, the Dalles Dam, or the John
22 Day Dam;

23 (2) a determination of the amounts and types
24 of assistance provided by the Federal Government to

1 Indian people displaced by the construction of such
2 dams to the present; and

3 (3) a determination of whether and how much
4 assistance is necessary to meet any remaining Fed-
5 eral obligations to compensate Indian people dis-
6 placed by the construction of such dams.

7 (c) REPORT.—Not later than 1 year after the date
8 of enactment of this Act, the Comptroller General shall
9 submit to Congress a report on the results of the study.

10 **SEC. ____ . DROUGHT EMERGENCIES.**

11 (a) AUTHORIZED ACTIVITIES.—With respect to a
12 State in which a drought emergency is in effect on the
13 date of enactment of this Act, or was in effect at any time
14 during the 1-year period ending on such date of enact-
15 ment, and upon the request of the Governor of the State,
16 the Secretary is authorized to—

17 (1) prioritize the updating of the water control
18 manuals for control structures under the jurisdiction
19 of the Secretary that are located in the State; and

20 (2) incorporate into the update seasonal oper-
21 ations for water conservation and water supply for
22 such control structures.

23 (b) COORDINATION.—The Secretary shall carry out
24 the update under subsection (a) in coordination with all

1 appropriate Federal agencies, elected officials, and mem-
2 bers of the public.

3 **SEC. ____ . GAO STUDY.**

4 (a) IN GENERAL.—Not later than 1 year after the
5 date of enactment of this Act, the Comptroller General
6 of the United States shall submit to the Committee on
7 Environment and Public Works of the Senate and the
8 Committee on Transportation and Infrastructure of the
9 House of Representatives an analysis of the President's
10 budget requests for the Corps of Engineers Civil Works
11 Program for each of fiscal years 2008 through 2017.

12 (b) CONSIDERATIONS.—The analysis to be submitted
13 under subsection (a) shall evaluate—

14 (1) the extent to which there is geographic di-
15 versity among the projects included in such budget
16 requests; and

17 (2) whether the methodologies used by the
18 Corps of Engineers to calculate benefit-cost ratios
19 for projects impact the geographic diversity of
20 projects included in such budget requests.

Page 75, strike lines 9 and 10.

Page 75, strike lines 14 and 15 and insert the fol-
lowing:

- 1 (1) Project for flood damage reduction and en-
 2 vironmental restoration, Hamilton City, California.

Page 75, line 23, strike “\$5,000,000,000” and in-
 sert “\$10,000,000,000”.

Page 78, line 17, strike “\$5,000,000,000” and in-
 sert “\$10,000,000,000”.

Page 92, after line 25, insert the following:

- 3 (c) INVENTORY.—In carrying out the update under
 4 subsection (a), the Secretary shall include an inventory of
 5 those lands that are not necessary to carry out the author-
 6 ized purposes of the project.

Page 93, lines 14 and 15, strike “September 30,
 2016, \$31,233,401” and insert “December 31, 2016,
 \$31,344,841.65”.

Page 106, strike line 6 and all that follows before
 line 7 and insert the following:

- 7 (1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	Nov. 3, 2014	Federal: \$116,116,000 Non-Federal: \$88,471,000 Total: \$204,587,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
2. LA	Calcasieu Lock	Dec. 2, 2014	Total: \$16,700,000 (to be derived ½ from the general fund of the Treasury and ½ from the Inland Waterways Trust Fund)
3. NH, ME	Portsmouth Harbor and Piscataqua River	Feb. 8, 2015	Federal: \$15,580,000 Non-Federal: \$5,190,000 Total: \$20,770,000
4. FL	Port Everglades	Jun. 25, 2015	Federal: \$220,200,000 Non-Federal: \$102,500,000 Total: \$322,700,000
5. AK	Little Diomedes Harbor	Aug. 10, 2015	Federal: \$26,015,000 Non-Federal: \$2,945,000 Total: \$28,960,000
6. SC	Charleston Harbor	Sep. 8, 2015	Federal: \$224,300,000 Non-Federal: \$269,000,000 Total: \$493,300,000
7. AK	Craig Harbor	Mar. 16, 2016	Federal: \$29,062,000 Non-Federal: \$3,255,000 Total: \$32,317,000
8. PA	Upper Ohio	Sep. 12, 2016	Federal: \$1,324,235,500 Non-Federal: \$1,324,235,500 Total: \$2,648,471,000

Page 109, strike line 1 and all that follows before line 2 and insert the following:

1 (4) ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades	Dec. 23, 2014	Federal: \$976,375,000 Non-Federal: \$974,625,000 Total: \$1,951,000,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
2. WA	Skokomish River	Dec. 14, 2015	Federal: \$12,782,000 Non-Federal: \$6,882,000 Total: \$19,664,000
3. WA	Puget Sound	Sep. 16, 2016	Federal: \$293,558,000 Non-Federal: \$158,069,000 Total: \$451,627,000

Page 110, before line 3, insert the following:

- 1 (8) HURRICANE AND STORM DAMAGE RISK RE-
2 DUCTION AND ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. LA	Southwest Coastal Louisiana	Jul. 29, 2016	Federal: \$2,011,280,000 Non-Federal: \$1,082,997,000 Total: \$3,094,277,000

Page 110, strike line 3 and all that follows through
the end of the table following line 4 and insert the fol-
lowing:

- 3 (9) DEAUTHORIZATIONS, MODIFICATIONS, AND
4 OTHER PROJECTS.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. TX	Upper Trinity River	May 21, 2008	Federal: \$526,500,000 Non-Federal: \$283,500,000 Total: \$810,000,000

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
2. KY	Green River Locks and Dams 3, 4, 5, 6 and Barren River Lock and Dam 1 Disposition	Apr. 30, 2015	Federal: \$0 Non-Federal: \$0 Total: \$0
3. KS, MO	Turkey Creek Basin	May 13, 2016	Federal: \$97,067,750 Non-Federal: \$55,465,250 Total: \$152,533,000
4. KY	Ohio River Shoreline	May 13, 2016	Federal: \$20,309,900 Non-Federal: \$10,936,100 Total: \$31,246,000
5. MO	Blue River Basin	May 13, 2016	Federal: \$34,860,000 Non-Federal: \$11,620,000 Total: \$46,480,000
6. FL	Picayune Strand	Jul. 15, 2016	Federal: \$308,983,500 Non-Federal: \$308,983,500 Total: \$617,967,000
7. MO	Swope Park Industrial Area, Blue River	Jul. 15, 2016	Federal: \$20,205,250 Non-Federal: \$10,879,750 Total: \$31,085,000



2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAWRENCE OF MICHIGAN OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

51

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MRS. LAWRENCE OF MICHIGAN**

Page 29, line 7, strike “, or that” and insert “or gross negligence, or that”.



3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BABIN OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. BABIN OF TEXAS

730

At the end of title I, add the following:

1 **SEC. ____.** **WORK DEFINED.**

2 Section 14 of the Act of March 3, 1899 (30 Stat.
3 1152, chapter 425; 33 U.S.C. 408), is amended—

4 (1) by striking “It shall not be lawful” and in-
5 serting the following:

6 “(a) IN GENERAL.—It shall not be lawful”; and

7 (2) by adding at the end the following:

8 “(b) WORK DEFINED.—

9 “(1) IN GENERAL.—In this section, the term
10 ‘work’ means engineered structures that serve a par-
11 ticular function.

12 “(2) INCLUSIONS.—In this section, the term
13 ‘work’ includes only structures of like kind with
14 those identified in subsection (a).

15 “(3) EXCLUSIONS.—In this section, the term
16 ‘work’ does not include—

17 “(A) the river channel as such, whether or
18 not dredging is necessary to maintain naviga-
19 tional depths;

1 “(B) unimproved real estate; or
2 “(C) a particular feature or structure
3 merely because the feature or structure is
4 present within a Federal project.”.



4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BABIN
OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BLACK OF TENNESSEE OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MRS. BLACK OF TENNESSEE**

At the end of title I, add the following:

1 **SEC. ____ . DAM SAFETY REPAIR PROJECTS.**

2 The Secretary shall issue guidance—

3 (1) on the types of circumstances under which
4 the requirement in section 1203(a) of the Water Re-
5 sources Development Act of 1986 (33 U.S.C.
6 467n(a)) relating to state-of-the-art design or con-
7 struction criteria deemed necessary for safety pur-
8 poses applies to a dam safety repair project;

9 (2) to assist district offices of the Corps of En-
10 gineers in communicating with non-Federal interests
11 when entering into and implementing cost-sharing
12 agreements for dam safety repair projects; and

13 (3) to assist the Corps of Engineers in commu-
14 nicating with non-Federal interests concerning the
15 estimated and final cost-share responsibilities of the
16 non-Federal interests under agreements for dam
17 safety repair projects.



6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BLUM
OF IOWA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. BLUM OF IOWA**

At the end of title I, add the following:

**1 SEC. ____ . EXPEDITED COMPLETION OF AUTHORIZED
2 PROJECT FOR FLOOD RISK MANAGEMENT.**

3 The Secretary shall expedite the completion of the
4 project for flood risk management, Cedar River, Cedar
5 Rapids, Iowa, authorized by item 3 of the table in section
6 7002(2) of the Water Resources Development Act of 2014
7 (Public Law 113–121; 128 Stat. 1366).



7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOST
OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. BOST OF ILLINOIS

950

At the end of title I, add the following:

1 **SEC. 1 ____ . REVIEW OF BENEFITS.**

2 When reviewing requests for repair or restoration of
3 a flood risk management project under the authority of
4 section 5(a)(1) of the Act of August 18, 1941, (33 U.S.C.
5 701n(a)(1)), the Army Corps of Engineers is authorized
6 to consider all benefits to the public that may accrue from
7 the proposed rehabilitation work, including, flood risk
8 management, navigation, recreation, and ecosystem res-
9 toration.



8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CRAWFORD OF ARKANSAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. CRAWFORD OF ARKANSAS

66

At the end of title I, add the following:

1 **SEC. ____ . WATER INFRASTRUCTURE FINANCE AND INNO-**
2 **VATION.**

3 Section 5029(b) of the Water Infrastructure Finance
4 and Innovation Act of 2014 (33 U.S.C. 3908(b)) is
5 amended—

6 (1) in paragraph (7)—

7 (A) by striking “The Secretary” and in-
8 serting the following:

9 “(A) IN GENERAL.—Except as provided in
10 subparagraph (B), the Secretary”; and

11 (B) by adding at the end the following:

12 “(B) FINANCING FEES.—On request of an
13 eligible entity, the Secretary or the Adminis-
14 trator, as applicable, shall allow the fees under
15 subparagraph (A) to be financed as part of the
16 loan.”; and

17 (2) by adding at the end the following:

18 “(10) CREDIT.—Any eligible project costs in-
19 curred and the value of any integral in-kind con-

1 tributions made before receipt of assistance under
2 this subtitle shall be credited toward the 51 percent
3 of project costs to be provided by sources of funding
4 other than a secured loan under this subtitle (as de-
5 scribed in paragraph (2)(A)).”.



9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DOLD OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5803
OFFERED BY MR. DOLD OF ILLINOIS

At the end of title I, add the following:

1 **SEC. 1___. FEDERAL COST LIMITATION OF ECOSYSTEM**
2 **RESTORATION COSTS FOR CERTAIN**
3 **PROJECTS.**

4 Section 506(c) of the Water Resources Development
5 Act of 2000 is amended by adding at the end the fol-
6 lowing:

7 “(5) A project carried out pursuant to this sub-
8 section may include compatible recreation features
9 as determined by the Secretary, except that the Fed-
10 eral cost of such features may not exceed 10 percent
11 of the ecosystem restoration costs of the project.”.



10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GRAVES OF LOUISIANA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. GRAVES OF LOUISIANA**

At the end of title I, add the following:

1 **SEC. ____ . NON-FEDERAL INTEREST SELECTION.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this Act, in carrying out an author-
4 ized and funded water resources development project, the
5 Secretary shall solicit and accept bids from non-Federal
6 interests. If a non-Federal interest can demonstrate great-
7 er cost effectiveness and project delivery efficiency than
8 the Corps of Engineers for such project, the Secretary
9 shall transfer the funds to the non-Federal interest for
10 project completion.

11 (b) SAVINGS.—Funds saved in project delivery by a
12 non-Federal interest under subsection (a) shall be used as
13 follows:

14 (1) 20 percent for deficit reduction.

15 (2) 80 percent for other projects of the Army
16 Corps of Engineers.



11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GRAVES OF LOUISIANA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. GRAVES OF LOUISIANA**

46

At the end of title I, add the following:

1 SEC. ____ . LOCAL FLOOD PROTECTION WORKS.

2 (1) IN GENERAL.—Permission for alterations by
3 a non-Federal interest to a Federal levee, floodwall,
4 or flood risk management channel project and asso-
5 ciated features may be granted by a District Engi-
6 neer of the Department of the Army or an author-
7 ized representative.

8 (2) TIMELY APPROVAL OF PERMITS.—On the
9 date that is 120 days after the date on which the
10 Secretary receives an application for a permit pursu-
11 ant to section 14 of the Act of March 3, 1899 (com-
12 monly known as the “Rivers and Harbors Appro-
13 priation Act of 1899”) (33 U.S.C. 408), the applica-
14 tion shall be approved if—

15 (A) the Secretary has not made a deter-
16 mination on the approval or disapproval of the
17 application; and

18 (B) the plans detailed in the application
19 were prepared and certified by a professional

- 1 engineer licensed by the State in which the
- 2 project is located.



12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GRAVES OF LOUISIANA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

827

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. GRAVES OF LOUISIANA**

At the end of title I, add the following:

1 SEC. ____ . FLOOD MITIGATION AND RIVERINE RESTORA-
2 TION PROGRAM.

3 The Secretary shall expedite carrying out the projects
4 listed under paragraphs (29) through (33) of section
5 212(e) of the Water Resources Development Act of 1999
6 (33 U.S.C. 2332(e)) and is authorized to proceed to con-
7 struction on such any such project if the Chief of Engi-
8 neers determines the project is feasible.



13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LONG
OF MISSOURI OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. LONG OF MISSOURI**

97L

At the end of title I, insert the following:

1 **SEC. ____.** **TABLE ROCK LAKE, ARKANSAS AND MISSOURI.**

2 (a) **IN GENERAL.**—Notwithstanding any other provi-
3 sion of law, the Secretary—

4 (1) shall include a 60-day public comment pe-
5 riod for a Table Rock Lake Master Plan and Table
6 Rock Lake Shoreline Management Plan revision;
7 and

8 (2) shall not finalize a revision for the Table
9 Rock Lake Master Plan and Table Rock Lake
10 Shoreline Management Plan during the 5-year pe-
11 riod beginning on the date of enactment of this Act.

12 (b) **SHORELINE USE PERMITS.**—During the period
13 described in subsection (a)(2), the Secretary shall lift or
14 suspend the moratorium on the issuance of new, and modi-
15 fications to existing, shoreline use permits based on the
16 existing Table Rock Lake Master Plan and Table Rock
17 Lake Shoreline Management Plan.

18 (c) **STUDY.**—

19 (1) **IN GENERAL.**—The Secretary shall—

1 (A) carry out a study on the need to revise
2 permit fees relating to Table Rock Lake to bet-
3 ter reflect the cost of issuing those fees and
4 achieve cost savings; and

5 (B) submit to Congress a report on the re-
6 sults of the study described in subparagraph
7 (A).

8 (2) REQUIREMENT.—The Secretary shall com-
9 plete the study under paragraph (1)(A) before
10 adopting any revision to the Table Rock Lake Shore-
11 line Management Plan.



14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MCKINLEY OF WEST VIRGINIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

75LR

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. MCKINLEY OF WEST VIRGINIA**

At the end of title I, insert the following:

1 **SEC. ____ . DISPOSITION STUDIES.**

2 In carrying out any disposition study for a project
3 of the Corps of Engineers (including a study under section
4 216 of the Flood Control Act of 1970 (33 U.S.C. 549a)),
5 the Secretary shall consider the extent to which the prop-
6 erty has economic or recreational significance or impacts
7 at the national, State, or local level.



15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MICA OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. MICA OF FLORIDA**

70

At the end of title I, add the following:

1 SEC. 1___. ADJUSTMENT TO COST BENEFIT RATIO.

2 For any navigation project carried out by the Army
3 Corps of Engineers with non-Federal funds, the Secretary
4 may, after completion of any portion of the authorized
5 project, adjust the authorized benefit cost ratio.



16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MULLIN OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

882

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. MULLIN OF OKLAHOMA**

At the end of title I, add the following:

1 SEC. ____ . LAND TRANSFER AND TRUST LAND FOR THE
2 MUSCOGEE (CREEK) NATION.

3 (a) TRANSFER.—

4 (1) IN GENERAL.—Subject to paragraph (2)
5 and for the consideration described in subsection (c),
6 the Secretary shall transfer to the Secretary of the
7 Interior the land described in subsection (b) to be
8 held in trust for the benefit of the Muscogee (Creek)
9 Nation.

10 (2) CONDITIONS.—The land transfer under this
11 subsection shall be subject to the following condi-
12 tions:

13 (A) The transfer—

14 (i) shall not interfere with the Corps
15 of Engineers operation of the Eufaula
16 Lake Project or any other authorized civil
17 works projects; and

18 (ii) shall be subject to such other
19 terms and conditions as the Secretary de-

1 termines to be necessary and appropriate
2 to ensure the continued operation of the
3 Eufaula Lake Project or any other author-
4 ized civil works project.

5 (B) The Secretary shall retain the right to
6 inundate with water the land transferred to the
7 Secretary of the Interior under this subsection,
8 as necessary to carry out an authorized purpose
9 of the Eufaula Lake Project or any other civil
10 works project.

11 (C) No gaming activities may be conducted
12 on the land transferred under this subsection.

13 (b) LAND DESCRIPTION.—

14 (1) IN GENERAL.—The land to be transferred
15 pursuant to subsection (a) is the approximately
16 18.38 acres of land located in the Northwest Quar-
17 ter (NW 1/4) of sec. 3, T. 10 N., R. 16 E.,
18 McIntosh County, Oklahoma, generally depicted as
19 “USACE” on the map entitled “Muscogee (Creek)
20 Nation Proposed Land Acquisition” and dated Octo-
21 ber 16, 2014.

22 (2) SURVEY.—The exact acreage and legal de-
23 scription of the land to be transferred under sub-
24 section (a) shall be determined by a survey satisfac-

1 tory to the Secretary and the Secretary of the Inte-
2 rior.

3 (c) CONSIDERATION.—The Muscogee (Creek) Nation
4 shall pay—

5 (1) to the Secretary an amount that is equal to
6 the fair market value of the land transferred under
7 subsection (a), as determined by the Secretary,
8 which funds may be accepted and expended by the
9 Secretary; and

10 (2) all costs and administrative expenses associ-
11 ated with the transfer of land under subsection (a),
12 including the costs of—

13 (A) the survey under subsection (b)(2);

14 (B) compliance with the National Environ-
15 mental Policy Act of 1969 (42 U.S.C. 4321 et
16 seq.); and

17 (C) any coordination necessary with re-
18 spect to requirements related to endangered
19 species, cultural resources, clean water, and
20 clean air.



17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ROUZER OF NORTH CAROLINA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. ROUZER OF NORTH CAROLINA**

47

At the end of title I, add the following:

1 **SEC. ____ . NO WAKE ZONES FOR VESSELS.**

2 The Secretary shall work with State and local offi-
3 cials to establish a no wake zone for vessels in a federally
4 marked or maintained navigation channel if—

5 (1) the channel is part of the Atlantic Intra-
6 coastal Waterway;

7 (2) State or local law enforcement officers have
8 documented that there exist safety hazards that are
9 a direct result of excessive wakes in the channel;

10 (3) State or local laws have been enacted to es-
11 tablish a no wake zone for the channel or waters ad-
12 jacent to the channel; and

13 (4) the Commandant of the Coast Guard deter-
14 mines that the no wake zone protects the safety of—

15 (A) a vessel transiting the channel; and

16 (B) the crew and passengers aboard the
17 vessel.



18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE THORNBERRY OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO H.R. 5303, AS REPORTED
OFFERED BY MR. THORNBERRY OF TEXAS**

At the end of title I, add the following:

1 **SEC. 1___. LAKE KEMP, TEXAS.**

2 Section 3149(a) of the Water Resources Development
3 Act of 2007 is amended—

4 (1) by striking “2020” and inserting “2025”;
5 and

6 (2) by striking “this Act” and inserting “the
7 Water Resources Development Act of 2016”.



19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WEBER
OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

14

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. WEBER OF TEXAS**

At the end of title I, insert the following:

1 **SEC. ____ . COASTAL TEXAS ECOSYSTEM PROTECTION AND**
2 **RESTORATION, TEXAS.**

3 In carrying out the comprehensive planning author-
4 ized by section 4091 of the Water Resources Development
5 Act of 2007 (Public Law 110–114; 121 Stat. 1187), the
6 Secretary shall consider studies, data, and information de-
7 veloped by the Gulf Coast Community Protection and Re-
8 covery District to expedite completion of the plan.



24

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG
OF IOWA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. YOUNG OF IOWA

At the end of title I, add the following:

1 **SEC. ____.** **CORPS LEVEES THAT AFFECT COMMUNITY-**
2 **OWNED LEVEES.**

3 Where Federally owned and operated levees increase
4 flood risk and compromise the accreditation of commu-
5 nity-owned local flood protection systems, it shall be the
6 policy of the Corps of Engineers to act expeditiously with
7 actions required to authorize, fund, identify, and imple-
8 ment improvements to reduce and negate negative impacts
9 to community-owned flood protection system accredita-
10 tion.



21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ESTY
OF CONNECTICUT OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MS. ESTY OF CONNECTICUT**

54

At the end of title I, insert the following:

1 **SEC. ____ . CORROSION PREVENTION.**

2 Section 1033 of the Water Resources Reform and De-
3 velopment Act of 2014 (33 U.S.C. 2350) is amended by
4 adding at the end the following:

5 “(d) REPORT.—Not later than 1 year after the date
6 of enactment of this subsection, and annually thereafter,
7 the Secretary shall submit to the Committee on Environ-
8 ment and Public Works of the Senate and the Committee
9 on Transportation and Infrastructure of the House of
10 Representatives a report on the corrosion prevention ac-
11 tivities encouraged under this section that includes—

12 “(1) a description of the actions the Secretary
13 has taken to implement this section; and

14 “(2) a description of the projects utilizing cor-
15 rosion prevention activities, including which activi-
16 ties were undertaken.”.



22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ESTY
OF CONNECTICUT OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MS. ESTY OF CONNECTICUT**

58

At the end of title I, insert the following:

1 **SEC. ____ . NORTH ATLANTIC COASTAL REGION.**

2 Section 4009 of the Water Resources Reform and De-
3 velopment Act of 2014 (Public Law 113-121; 128 Stat.
4 1316) is amended—

5 (1) in subsection (a) by striking “a study to de-
6 termine the feasibility of carrying out projects” and
7 inserting “a comprehensive assessment and manage-
8 ment plan”;

9 (2) in subsection (b)—

10 (A) in the subsection heading by striking
11 “STUDY” and inserting “ASSESSMENT AND
12 PLAN”; and

13 (B) in the matter preceding paragraph (1),
14 by striking “study” and inserting “assessment
15 and plan”; and

16 (3) in subsection (c)(1) by striking “study” and
17 inserting “assessment and plan”.



23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FRANKEL OF FLORIDA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 5303

OFFERED BY MS. FRANKEL OF FLORIDA

39

At the end of title I, insert the following:

1 **SEC. ____ . ACQUISITION OF BEACH FILL.**

2 Section 935 of the Water Resources Development Act
3 of 1986 (33 U.S.C. 2299) is amended by striking “if such
4 materials are not available from domestic sources for envi-
5 ronmental or economic reasons”.



24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GREEN
OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

837

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. AL GREEN OF TEXAS**

At the end of title I, insert the following:

1 **SEC. ____ . PRIORITIZATION OF CERTAIN PROJECTS.**

2 The Secretary shall give priority to a project for flood
3 risk management if—

4 (1) there is an executed project partnership
5 agreement for the project; and

6 (2) the project is located in an area—

7 (A) in which there has been a loss of life
8 due to flood events; and

9 (B) with respect to which the President
10 has declared that a major disaster or emergency
11 exists under section 401 of the Robert T. Staf-
12 ford Disaster Relief and Emergency Assistance
13 Act (42 U.S.C. 5170).



25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HERRERA BEUTLER OF WASHINGTON OR HER DESIGNEE,
DEBATABLE FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MS. HERRERA BEUTLER OF
WASHINGTON

50

At the end of title I, add the following:

1 **SEC. 1 ____ . WATERCRAFT INSPECTION STATIONS.**

2 Section 104 of the River and Harbor Act of 1958
3 (33 U.S.C. 610) is amended—

4 (1) in subsection (d)—

5 (A) by striking paragraph (1) and insert-
6 ing the following:

7 “(1) IN GENERAL.—In carrying out this sec-
8 tion, the Secretary may establish, operate, and main-
9 tain new or existing watercraft inspection stations to
10 protect the Columbia River Basin to be located in
11 the States of Idaho, Montana, Oregon, and Wash-
12 ington at locations, as determined by the Secretary
13 in consultation with such States with the highest
14 likelihood of preventing the spread of aquatic
15 invasive species at reservoirs operated and main-
16 tained by the Secretary. The Secretary shall also as-
17 sist the States referred to in this paragraph with

1 rapid response of any Quagga or Zebra mussel infes-
2 tation.”

3 (B) in paragraph (3) by inserting “Gov-
4 ernors of the” before “States”; and

5 (2) in subsection (c) by striking paragraph (3)
6 and inserting the following:

7 “(3) assist the States in early detection of
8 Quagga and Zebra mussels;”.

